

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 10-MJ-10275-DPW
	)	
JOSE L. BAEZ	)	
	)	

GOVERNMENT'S ASSENTED TO MOTION TO CONTINUE STATUS HEARING

Now comes the United States, by its attorneys, Carmen M. Ortiz, United States Attorney, and David G. Tobin, Assistant U.S. Attorney, and hereby moves this Honorable Court to continue the status hearing in this case from October 13, 2011, to any date after October 24, 2011. In support of this motion, the United States avers that the undersigned attorney for the United States commenced a jury trial before the Honorable Joseph L. Tauro on October 11, 2011, which may last until October 24, 2011. Judge Tauro intends to conduct the trial daily from 10:00 a.m. to 1:00 p.m. and from 2:15 p.m. to 4:30 p.m., with the exception of October 17 and 18, 2011, when the trial will be suspended. Counsel for the defendant has informed the undersigned attorney for the government that he is unavailable on October 17 and 18, 2011.

In the alternative, the United States moves this Honorable Court to conduct the status hearing on the original date scheduled, October 13, 2011, but at 1:15 p.m. The time change would afford the undersigned attorney for the United States the ability to be present at the status hearing without interrupting

the trial. If this Honorable Court grants a continuance of the status hearing, the United States asks that the time from October 13, 2011 to the new date of the status hearing be excluded from the provisions of the Speedy Trial Act in the interests of justice. Counsel for the defendant assents to this motion.

Respectfully submitted,

Carmen M. Ortiz  
United States Attorney

By: /s/ David G. Tobin

Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ David G. Tobin  
DAVID G. TOBIN  
Assistant United States Attorney

Date: October 12, 2011